

APPLICATION NO.	P16/S4046/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	12.12.2016
PARISH	PYRTON
WARD MEMBER	Anna Badcock
APPLICANT	Mr & Mrs Woodcock & Mr Glanville
SITE	Land adjacent to New Farm Bungalow, Track to West Lodge, Pyrton, OX49 5AP
PROPOSAL	Demolition of existing buildings. Erection of a detached barn style house with detached carport and associated hard-standing (Site B). (As amended by plans received 2017_01_18 to increase size of site to the rear, remove detached garage, reduce height and size of the dwelling, re-site the dwelling further back in site and further away from the boundary to Site A) (Amended by plans received 2017_04_06 to reduce height and bulk and the siting of the dwelling). (Amended by plan received 2017_05_19 to annotate proposed use of area of land in blue line adjacent to The Old Forge).
AMENDMENTS	None
GRID REFERENCE	468810/196145
OFFICER	Marc Pullen

1.0 **INTRODUCTION**

1.1 This application is referred to the Planning Committee because the officer's recommendation conflicts with the view of the Parish Council.

1.2 The application site (which is shown on the OS extract **attached** as Appendix A) is largely open but contains a number of agricultural buildings. The site is accessed off Knightsbridge Lane, which runs through the village. The site does not lie within any designated area of land, but is adjacent to the designated Pyrton Conservation Area.

2.0 **PROPOSAL**

2.1 This application seeks planning permission for the erection of a detached dwelling on the site, following the demolition of the existing buildings and structures.

2.2 This application was submitted alongside application [P16/S4045/FUL](#) which seeks the erection of two semi-detached dwellings on the adjoining site, but within the same ownership.

2.3 A copy of all the current plans accompanying the application is **attached** as Appendix B. Other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Full summary of consultation responses is **attached** as Appendix C.

Pyrton Parish Council - Objection

County Archaeological Services – No objections

Conservation Officer - No objections

Forestry Officer – No objections
The Gardens Trust
Highways Liaison Officer – No objections
Countryside Officer – No objections
Waste Management Officer – No objections
Neighbours - Objection (38)

4.0 RELEVANT PLANNING HISTORY

4.1 [P74/S0670/O](#) - Refused (11/06/1975) - Refused on appeal (29/01/1976)
Erection of one dwellinghouse.

5.0 POLICY & GUIDANCE

5.1 **National Planning Policy Framework & National Planning Practice Guidance**

5.2 **South Oxfordshire Core Strategy 2012 policies;**

CS1 - Presumption in favour of sustainable development
CSB1 - Conservation and improvement of biodiversity
CSEN1 - Landscape protection
CSEN3 - Historic environment
CSH2 - Housing density
CSQ3 - Design
CSR1 - Housing in villages
CSS1 - The Overall Strategy

5.3 **South Oxfordshire Local Plan 2011 policies;**

C4 - Landscape setting of settlements
C8 - Adverse affect on protected species
C9 - Loss of landscape features
CON5 - Setting of listed building
CON7 - Proposals in a conservation area
D1 - Principles of good design
D2 - Safe and secure parking for vehicles and cycles
D3 - Outdoor amenity area
D4 - Reasonable level of privacy for occupiers
D10 - Waste Management
EP6 - Sustainable drainage
EP8 - Contaminated land
G2 - Protect district from adverse development
H4 - Housing sites in towns and larger villages outside Green Belt
R8 - Protection of existing public right of way
T1 - Safe, convenient and adequate highway network for all users
T2 - Unloading, turning and parking for all highway users

5.4 **South Oxfordshire Design Guide 2016**

6.0 PLANNING CONSIDERATIONS

6.1 The main planning considerations in the determination of this application are:

- The principle of the development
- The impact upon the character and appearance of site and surrounding area
- The impact upon historic assets (listed buildings/conservation area)
- Impact upon the amenity of neighbours
- Impact on trees and protected species
- Implications on highway safety and parking
- Other matters

Principle of the development

- 6.2 The application site lies within Pyrton village. Proposals for new housing in villages within the South Oxfordshire District is largely governed by Policy CSR1 of the South Oxfordshire Core Strategy (SOCS). This policy allows for new housing in Pyrton on infill sites of up to 0.1 hectares in size. The definition of infill is the filling of a small gap in an otherwise built-up frontage or on other sites within the settlement of villages where the site is closely surrounded by other buildings. Policy CSR1 provides a guide that sites of up to 0.1 hectares in size would be the equivalent to accommodating 2-3 houses.
- 6.3 Further to policy CSR1 of the SOCS, policy H4 of the South Oxfordshire Local Plan (SOLP) supports proposals for new housing on sites within the built-up areas of the district's four main towns and villages.
- 6.4 Officers are satisfied that this site can be readily regarded as within the built up area of Pyrton and the development of this site would contribute to a built up frontage along the lane. The site is currently agricultural in use with a number of dilapidated buildings and officers would consider the site as open and closely surrounded by buildings on both sides. Officers are therefore satisfied that this development can be regarded as a suitable infill development within the village.

Impact on character and appearance

- 6.5 The National Planning Policy Framework (NPPF) confirms a presumption in favour of sustainable residential development, but also confirms a requirement for good design. The National Planning Practice Guidance (NPPG) elaborates on the NPPF, stating that: "new development should look to respond appropriately to the existing layout of buildings, streets and spaces...there may be an existing prevailing layout that development should respond to and potentially improve" (paragraph 24).
- 6.6 Policy CSQ3 of the SOCS and policies D1 and G2 of the SOLP seek to ensure that all new development is of a high quality design which responds positively to and respects the character of the site and its surroundings, enhancing local distinctiveness and ensuring that new development is of a scale, type and density appropriate to the site and its setting. Policy H4 of the SOLP seeks to ensure that all new residential development is of a design, height, scale and appearance that is in keeping with its surroundings and that the character of an area is not adversely affected by the proposal.
- 6.7 The built form of the village is nucleated along the main road which runs through the village. The surrounding countryside informs the village and gives it a semi-rural character. Along the track that serves this site lie three detached dwellings which have a relatively spacious relationship with each other. The dwellings within the village vary in architectural style, size and form and whilst the density is relatively low, plot sizes vary considerably from one property to the next. Most of the more historic properties have an intimate relationship with the main road which runs through the village with the more modern buildings being set further back.
- 6.8 The proposed dwelling would follow the pattern of development along this lane and would be read in conjunction with neighbouring built form. The dwelling would be set back into the site, further back than the proposed neighbouring two dwellings, but would allow for a similar distance from the lane as the neighbouring built form. It is officer's view that the siting of this dwelling would be in general accordance with the existing built form along the lane.

- 6.9 The plot is approximately 0.06 hectares in size and the dwelling would lie some 12.5 metres away from neighbouring New Farm to the north-east. The size of the plot would be smaller than those of the neighbouring properties, however the plot sizes within the area do vary considerably. A number of other plots are of the same width as this application site and would have a similar relationship with their neighbours as this application site would. The height of the dwelling would be lower than the proposed dwellings at the neighbouring site but taller than neighbouring New Farm. However the height of this dwelling would bridge the gap in building heights along this lane by contributing to a gradual decrease in height from The Old Forge and to New Farm. Officers do not consider the height of this dwelling would overwhelm or result in a harmful visual impact upon the lane that would detract from the appearance of its immediate neighbours.
- 6.10 The proposed materials are yet to be finalised, but it is officer's view that these can be appropriately addressed at a later stage through a suitably worded condition. The dwelling would be well spaced from adjacent built form and would be set back within the site to reduce the visual impact of the development on the lane. Both soft and hard landscaping is proposed to soften the development which include a number of residential forms of enclosure around the properties. The matters of landscaping however can be agreed in more detail at a later stage through a suitably worded condition, requiring the details of all new planting, fences, walls, and hardstanding.
- 6.11 It is officer's view that the siting, scale and design of the dwelling would respect and respond positively to the surrounding built form and whilst smaller in size, its plot would not compromise the open and spacious character of the area; which officer's believe positively informs the rural character of the village. Subject to details of landscaping, it is considered by officers that the appearance of the development would not adversely conflict with the village's semi-rural character.

Impact on historic assets

- 6.12 The application site lies outside but alongside the designated conservation area of Pyrton alongside the site for application [P16/S4045/FUL](#). Both sites are within the wider setting of the Shirburn Castle registered park and garden, the listed West Lodge and other designated assets.
- 6.13 The sites lie to the west of the Castle and registered park and garden. These two assets are linked and their significance relates to the designed landscape of the estate, demonstrating its status and significance as a historic seat of power and land ownership. The council's conservation officer is of the view that the rural setting to both of these sites does contribute to the significance of the Castle and the registered park and garden, although this only forms part of their overall significance.
- 6.14 The conservation officer continues, stating that the application site as existing provides reference to the rural character of the existing lane and the experience of the wider setting of the registered park and garden and West Lodge. This area has seen piecemeal C20 development which has gradually encroached upon this western extent of the Shirburn Castle estate and the applications would infill a gap between existing dwellings adjacent to these assets.
- 6.15 The conservation officer considers that the impact to these designated assets as a result of development on this site would be limited and certainly the significance of the registered park and garden, and the important relationship of the lodge house to this historic entrance to the parkland would not be diminished such that there would be harm to their significance.

- 6.16 The application site lies within the setting of a number of locally listed buildings. The significance of these assets is the retention of historic fabric and architectural interest as building types which contribute to our national understanding of settlement development. The Plough and, to a lesser extent, The Old Smithy garner some significance from their settings by virtue of their relationship to the primary routes through this settlement and the relevance of passing trade. The conservation officer does not consider the development on these application sites to alter this historic relationship and does not consider that the historic buildings have specific designed view towards the application sites that would be harmed if developed.
- 6.17 The Pyrton conservation area is drawn around the historic buildings of the village settlement and extends to the western edge of the Shirburn Castle registered park and garden. The character and appearance of the conservation area is principally of ribbon development along the main road through the village and the smaller lanes off it. Buildings are predominantly set in fairly spacious plots and in most cases set slightly back from the street frontage. The spacious plots and views beyond buildings to open countryside adds to the experience of the conservation area as having a rural setting; there has been little backland development here which has preserved the character of the settlement as having a single frontage along the main road.
- 6.18 In view of the comprehensive development of the site (including the development proposed under app. [P16/S4045/FUL](#)) the conservation officer considers that the two application sites do make a contribution to the rural setting of the conservation area and allow for glimpsed views beyond the existing buildings to the open space beyond. As such, the conservation officer considers that there is capacity for this site to accommodate development which addresses the frontage of the existing lane whilst still enabling views beyond built form to the open countryside.
- 6.19 It is acknowledged that there is no up-to-date conservation area appraisal for Pyrton. However, both applications have been considered with regard to the significance of the conservation area and all designated heritage assets, as outlined above, and in line with Historic England's Conservation Area Designation, Appraisal and Management: Historic England Advice Note 1 (2016) and The Setting of Heritage Assets: Historic England Advice Note 3 (2016). In accordance with paragraph 129 of the NPPF, the significance of the designated conservation area and other assets have been assessed and the potential impact of the applications on the heritage assets has been duly considered.
- 6.20 Whilst the density of the development would be higher than the rest of the immediate area, the series of amendments to the scheme have notably improved the scheme. Specifically the reduction in size, the set back of the proposed dwelling and the removal of domestic features along the frontage (picket fencing). The conservation officer concludes that the development would result in less than substantial harm to the designated conservation area with regard to the tests of the NPPF. Advice is given to help mitigate this harm, including appropriate landscaping of the site. Officers are satisfied that this can be achieved at a later stage as part of a landscaping scheme which should be agreed with the local planning authority prior to development commencing (as discussed above). Officers are of the view therefore that this less than substantial harm could be lessened through further details and that the public benefit of three dwellings would outweigh the harm on the setting of the conservation area.

Impact on the amenity of neighbours

- 6.21 The Council's policies and guidance seek to ensure that new dwellings are considerate to neighbours by way of ensuring that the development does not intrude upon a

neighbour's privacy, does not overshadow, obstruct daylight or have an oppressive or overbearing impact, which would be harmful to the amenity of occupiers living in neighbouring properties.

- 6.22 The proposed dwelling would be sited closest to neighbouring New Farm at approximately 12 metres. This neighbour is not currently subjected to any levels of harm from their neighbours and as such it is not unreasonable to expect that the development would have some harm on them. It is officer's view that the proposed dwelling would have a positive relationship with New Farm. The design and siting of the dwelling would avoid any clear overlooking of New Farm and its private amenity area. The proposed dwelling would have one side facing window, which would likely provide views into this neighbouring dwelling; however a condition would be imposed to ensure this window is obscure glazed. As such it is officer's view that the privacy of this neighbour is not materially harmed by this development.
- 6.23 The dwelling would be south-west of neighbouring New Farm and as such the development would have some impact upon this neighbour's access to sunlight within the late evening hours. However as the dwelling is set back within the site and distanced away from New Farm, this neighbouring property would continue to access sunlight during the majority of the day and would have adequate access to daylight throughout the day. The northern most part of New Farm is currently obscured a large amount by existing vegetation on site, which is likely to already contribute to some loss of light. It is officer's view that the siting of the proposed dwelling and its relative distancing from New Farm would ensure that no adverse loss of light would occur and that the habitable rooms to New Farm would not be adversely harmed. Furthermore owing to the siting of these buildings and their relative distance from New Farm, and the shared boundary, the development would not pose an overbearing or overly oppressive presence upon this neighbour to the effect of harming their outlook or enjoyment of their garden area.
- 6.24 The proposed dwelling would not, in officer's view, pose any adverse harm on those occupants living at neighbouring The Old Forge or West Lodge.

Impact on trees and protected species

- 6.25 Council policies seek to prevent development from causing any adverse harm upon protected species and important landscape features. The proposed development of the whole site would result in the removal of a Cypress and Larch tree. These trees are considered to be of a low quality and are therefore not considered to be a constraint to the proposed development. The proposed development would introduce hardstanding within the root protection areas of certain trees that are sought to either be retained or fall within the neighbour's land at New Farm. A tree protection plan has been submitted to demonstrate the impact upon these trees and the forestry officer is satisfied with the proposed arrangement. Therefore officers have no objection to the development of the site having the impact on important landscape features. A condition is recommended to secure protection of these trees in accordance with the submitted protection plan and another for details of soft landscaping.
- 6.26 In consultation with the council's countryside/ecology officer, officers do not consider the development to have any adverse impact upon protected species.

Implications on highway safety and parking

- 6.27 The council's policies and guidance seek to ensure that in determining planning applications, the council should, in consultation with the local highway authority, ensure

that new developments are designed to a standard that ensures a safe and attractive environment and does not result in an unacceptable level of traffic on the local highway network or have a detrimental impact on the amenities and environment of the area.

- 6.28 Following from amendments to the scheme, the local highways authority raise no objection to the proposed development concluding that the proposal is unlikely to have a significant adverse impact on the highway network. Conditions are recommended by the local highways authority to ensure that the development is served by a safe and adequate access and parking arrangement.

Conflicts with Neighbourhood Plan

- 6.29 A number of objections have been raised by residents of the village regarding prematurity of the determination of this application in the absence of an adopted Neighbourhood Plan. It is the view of residents that the development should be refused as it conflicts with the opinion of the residents, obtained by a survey. The Pyrton Neighbourhood Plan is in an early stage having only gone out to consultation on the designated area of the plan. After the consultation it is for the council to then consider all the responses that have been received and then decide whether or not to formally designate the area the neighbourhood plan will cover. To date, this has yet to happen.
- 6.30 Paragraph 198 of the NPPF states that where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted. Paragraph 216 of the NPPF sets out the weight that may be given to relevant policies in emerging plans, including Neighbourhood Plans, in decision taking. It states that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and;
 - the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 6.31 Owing to the current and premature status of the Pyrton Neighbourhood Plan, no sites have been identified or formally allocated for residential development within the settlement to meet the future growth. In addition no policies have been adopted to help steer development. Owing to the prematurity of the Pyrton Neighbourhood Plan officers do not consider that any significant weight can be given to it in the assessment of this development, in accordance with paragraph 216 of the NPPF.

Other matters

- 6.32 Contamination – The council's contaminated land officer was unable to make an informed comment on this application as no appropriate contamination assessment has been submitted with the application. As such a condition is attached which requires, at a minimum, a preliminary risk assessment to be conducted to establish whether land contaminants are on site and what measures are needed to alleviate such contaminants.
- 6.33 Waste – The waste management officer raises no objection to the proposed development subject to the provision of the necessary recycling and refuse bins. It is

officer's view that the development is able to suitably accommodate for these bins and as such the development would be compliant to Policy D10 of the SOLP.

- 6.34 Archaeology – The county council's planning archaeologist does not raise an objection to the development, siting that the proposal outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.
- 6.35 Community Infrastructure Levy (CIL) - The council's CIL charging schedule has recently been adopted and will apply to relevant proposals from 1 April 2016. CIL is a planning charge that local authorities can implement to help deliver infrastructure and to support the development of their area, and is primarily calculated on the increase in footprint created as a result of the development. In this case CIL is liable for the new dwellings and is charged on floor area, offset with the loss of the existing building. The CIL charge applied to new residential development in this case is £156 per square metre of floorspace (Zone 1). Of this payment, 15% will go directly to the parish council (as they do not have an adopted Neighbourhood Plan) for spending towards local projects.

7.0 CONCLUSION

- 7.1 The proposal complies with the relevant Development Plan Policies and, subject to the attached conditions would not be harmful to the character and appearance of the site and surrounding area, the local highway network or the amenities of those occupants living in neighbouring properties.

8.0 RECOMMENDATION

To grant planning permission, subject to the following conditions:

1. **Full planning permission – development to commence within three years of date of permission.**
2. **Development to be carried out in accordance with approved plans.**
3. **A schedule of all materials to be used in the external construction and finishes of the development hereby permitted shall be submitted to and approved in writing by the local planning authority (LPA).**
4. **Hard and soft landscaping scheme to be submitted to and approved in writing by the LPA.**
5. **Phased risk assessment to be carried out to identify what, if any, contaminants are on site and measures to overcome them to be submitted to and approved in writing by the LPA.**
6. **First floor, side facing windows to be obscure glazed and shall be fixed shut with the exception of a top hung openable fanlight.**
7. **Details of foul drainage to be submitted to and approved in writing by the LPA.**
8. **Existing access to be improved and laid out in accordance with local highway authority's specifications.**
9. **The proposed access shall not be brought into use until the existing access onto the lane is effectively closed up in accordance with local highway authority's specifications.**
10. **Parking and turning areas, in accordance with the approved plans, should be provided and retained unobstructed except for the parking of vehicles associated with the development at all times.**

Author: Marc Pullen

Contact No: 01235 422600

Email: planning@southoxon.gov.uk